

INSURANCE DIVISION[191]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 505.8(19) and 522D.10, the Insurance Division hereby amends Chapter 85, "Regulation of Navigators," Iowa Administrative Code.

Chapter 85 contains the rules regulating the licensing and conduct of health care navigators in the state of Iowa. Subrule 85.9(4) requires navigator entities to provide the Division with information regarding the termination of a navigator entity's relationship with an individual navigator. The navigator entity must notify the Commissioner of Insurance if the individual navigator is terminated for cause. The navigator entity must notify the Division when the navigator entity is no longer recognized as a navigator by the U.S. Department of Health and Human Services. The Division is the state agency charged with regulating navigators, and this amendment enables the Division to maintain accurate records about who is acting as a navigator within the state.

Notice of Intended Action for this amendment was published in the August 20, 2014, Iowa Administrative Bulletin as **ARC 1592C**. The Division held a public hearing on September 9, 2014, at 2:30 p.m. No one attended the hearing. The Division received one comment in favor of the proposed subrule; however, the commenter suggested language changes for the sake of clarity and requested additional prohibitions on navigators. The Division accepted the suggested changes to the subrule, which are reflected herein, but declined to add the requested additional enumerated prohibited acts to the navigator rules as the Division believes that the suggested prohibitions are currently covered by the existing rules.

The Division adopted this amendment on September 26, 2014.

Compliance with the adopted subrule will begin on December 3, 2014, in order to allow implementation of the new subrule during the 2015 health insurance open enrollment period.

This amendment is not expected to have any significant impact on jobs.

This amendment is intended to implement Iowa Code sections 505.8(19) and 522D.10.

This amendment will become effective December 3, 2014.

The following amendment is adopted.

Adopt the following new subrule 85.9(4):

85.9(4) A navigator entity shall notify the division in writing, within 30 days, when a relationship is terminated with an individual navigator who was formally retained, employed, or affiliated with, or worked for or in conjunction, or as a part of a consortium, with that navigator entity. The notification submitted by the navigator entity shall indicate if the termination was for cause and if the reason was one of the reasons set forth in Iowa Code section 522D.7. The navigator entity shall comply with Iowa Code section 522D.8 and, upon request, furnish to the commissioner or authorized representative additional information, documents, records or other data pertaining to the termination or activity of the individual navigator.

[Filed 10/10/14, effective 12/3/14]

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 10/29/14.